

THE HONORABLE MARSHA J. PECHMAN

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KENNETH I. DEANE,

Plaintiff,

vs.

PACIFIC FINANCIAL GROUP, Inc., a
Washington corporation, MEGAN P. MEADE,
an unmarried woman; NICOLAS B. SCALZO,
a married man; NICOLAS B. SCALZO an
unmarried man; JAMES C. MCCLENDON, a
married man; JAMES C. MCCLENDON and
JOAN A. MCCLENDON, a marital community;
GAETAN T. SCALZO, a married man;
GAETAN T. SCALZO and SHERRIE
SCALZO, a marital community,

Defendants.

NO. 2:19-cv-00722-MJP

SECOND ORDER ON DEFENDANTS'
MOTION FOR APPROVAL OF
SUFFICIENCY OF SECURITY, TO STAY
ENFORCEMENT OF JUDGMENT
PENDING APPEAL, AND FOR ORDER
DIRECTING DEPOSIT OF SECURITY
INTO COURT'S REGISTRY

THIS MATTER having come before the Honorable Marsha J. Pechman for hearing upon the Defendants' Motion for Approval of Sufficiency of Security, to Stay Judgment Pending Appeal, and for an Order Directing Deposit of Security into Court's Registry (Dkt. Nos. 186 and 197), and after the Court having examined the records and files, and being fully advised in the premises; now therefore:

IT IS HEREBY ORDERED by the Court that:

1. The Parties' stipulated proposed amount of security of \$1,950,000.00 is sufficient to secure Plaintiff Kenneth Deane from any loss that may result from the stay;
2. Defendants are directed to deposit security in the amount of \$1,950,000.00 into the Court's Registry;

SECOND ORDER ON DEFS' MTN FOR APPROVAL OF
SECURITY, STAY, AND ORDER DIRECTING DEPOSIT
INTO REGISTRY – PAGE 1
(NO. 2:19-cv-00722-MJP)

**GORDON REES SCULLY
MANSUKHANI, LLP**
701 5th Avenue, Suite 2100
Seattle, WA 98104
Telephone: (206) 695-5100
Facsimile: (206) 689-2822

3. Upon Defendants' deposit of \$1,950,000.00 into the Court's Registry, the Judgment, awarded attorney's fees and costs, and post-trial interest against them are stayed pending the duration of Defendants' appeal to the Ninth Circuit; and

4. This Order terminates Defendants' Motion for Approval of Sufficiency of Security, etc. (Dkt. No. 186.) and Stipulated Motion regarding the same (Dkt. No. 197).

DATED this 12th day of March, 2021.



Marsha J. Pechman
United States District Judge

Presented by:

GORDON REES SCULLY MANSUKHANI LLP

By: /s/ Nicole E. Demmon

David W. Silke, WSBA #23761
Nicole E. Demmon, WSBA #45322
Michael C. Tracy, WSBA #51226
Gordon Rees Scully Mansukhani, LLP
701 Fifth Avenue, Suite 2100
Seattle, WA 98104
Phone: (206) 695-5100
E-Mails: dsilke@grsm.com
ndemmon@grsm.com
mtracy@grsm.com

Attorneys for Defendants:

Pacific Financial Group, Inc.; Megan P. Meade;
Nicholas B. Scalzo;
James C. McClendon and Joan A. McClendon;
and Gaetan T. Scalzo and Sherrie Scalzo